

Sixth Appellate District

San Jose, California

MONDAY, JULY 18, 2005

H027487 DALY v. YESSNE, et al., etc.

The judgment is affirmed. (published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed July 18, 2005

H025896 PEOPLE v. MARTINEZ

The judgment is reversed. (not published)
(Rushing, P.J.; We concur: Elia, J., Walsh, J.*)
Filed July 18, 2005
(*Judge of the Santa Clara County Superior Court assigned by the
Chief Justice pursuant to article VI, section 6 of the California
Constitution.)

H024003 PEOPLE v. GUZMAN

The judgment is affirmed. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed July 18, 2005

TUESDAY, JULY 19, 2005

H026609 PEOPLE v. RUIZ

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed July 19, 2005

H027801 PEOPLE v. MCMILLEN

The order granting the section 995 motion is affirmed. (not
published)
(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara,
J.)
Filed July 19, 2005

H027909 PEOPLE v. DAO

The judgment is affirmed. (not published)
(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara,
J.)
Filed July 19, 2005

H027140 MARTIN, et al. v. SAFEWAY, INC.

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed July 19, 2005

Sixth Appellate District

San Jose, California

Tuesday, July 19, 2005 (continued)

H027078 PEOPLE v. FIELD

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed July 19, 2005

H027709 PEOPLE v. GEORGE

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed July 19, 2005

H027281 PEOPLE v. GONZALEZ

The judgment is affirmed. (not published)
(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)
Filed July 19, 2005

H027147 NGO v. A-PLUS MANUFACTURING CORPORATION, et al.

The judgment is reversed. The trial court is directed to set a hearing and decide the merit aspect of defendants' motion for summary judgment. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed July 19, 2005

H025872 DOE v. CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

The judgment is affirmed. The parties shall bear their own costs on appeal. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed July 19, 2005

H026373 ESTATE OF GEORGE MARION DRUMMOND, DECEASED.

H026660 ESTATE OF GEORGE MARION DRUMMOND, DECEASED.

(Filed order modifying opinion.) There is no change in the judgment. The respondent's petition for rehearing is denied. (not published)
(Rushing, P.J.; I concur: Elia, J.)
Filed July 19, 2005

Sixth Appellate District

San Jose, California

Tuesday, July 19, 2005 (continued)

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Mihara, J.; McAdams, J.; and R. W. Norvelle, Deputy Clerk.

H027511 ENEA V. SUPERIOR COURT

Cause called and argued by Jeanine Grimmond Strong appearing for Petitioner and by Timothy J. Hughes appearing for Real Parties in Interest. Cause ordered submitted.

H028428 MONTEREY COUNTY DSS v. DANIESHA W.

Cause called and argued by Mary R. Williams appearing for Appellant and by William K. Rentz, Deputy County Counsel, appearing for Respondent. Cause ordered submitted.

H028308 MONTEREY COUNTY DSS v. LAWRENCE B.

Cause called. William K. Rentz, Deputy County Counsel, appears for Respondent. No appearance is made by Appellant. Cause ordered submitted without oral argument.

H027545 MARRIAGE OF QUIRK

Cause called and argued by Bradford Baugh appearing for Appellant and by Charles A. Dell'Ario appearing for Respondent. Cause ordered submitted.

H027712 GALAUSKI, A MINOR, ETC., ET AL.V. CITY OF MONTEREY

Cause called and argued by Morgan C. Smith appearing for Appellant and by Timothy J. Schmal appearing for Respondent. Cause ordered submitted.

H027859 SKIDMORE V. SUTTERS PLACE, INC.

Cause called and argued by Blaine L. Fields appearing for Appellant and by Jessica V. Santamaria appearing for Respondent. Cause ordered submitted. Court stands in recess

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; Mihara, J.; McAdams, J.; and J. Michel Casique , Deputy Clerk.

H027456 THE PEOPLE v. RICHARD

Cause called and argued by Peggy Ann Headly appearing for Appellant and by Dorian Jung, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Tuesday, July 19, 2005 (continued)

H027751 GARY HURST, as Trustee, etc. v. THREE SPRINGS RANCH
HOMEOWNERS ASSOC.

Cause called and argued by Barton Hechtman appearing for
Respondents and by Francine Tone appearing for Appellant. Cause
ordered submitted.

H028239 PACIFIC BELL DIRECTORY v. KLEBER CORPORATION

Cause called and argued by Debra Lew appearing for
Respondent and by Nathan Charles Benjamin appearing for
Appellant. Cause ordered submitted. The court stands in
adjournment.

H024041 PEOPLE v. GARZA

By the Court:

In accordance with the opinion of the California Supreme
Court entered on May 19, 2005, the trial court's judgment is
affirmed. (Rushing, P.J. and Premo, J., participated in this
decision.)

Filed: July 19, 2005

WEDNESDAY, JULY 20, 2005

H028171 PEOPLE v. JOHNSON

The cause herein is ordered submitted.

Dated: July 20, 2005 PREMO, Acting P.J.

H028803 HAFFNER, et al. v. MOLAKIDES, et al.

By the Court:

Appellants Molakides' motion to vacate dismissal order filed
on June 22, 2005, is granted. The appeal filed on May 18, 2005,
is ordered restored to active status and the appellants is
directed to deposit the fees for preparation of the record with
the trial court within 10 days from the date of this order.

Filed: July 20, 2005 Rushing, P.J.

H027515 SANTA CLARA COUNTY DEPT. OF CHILD SUPPORT SERVICES v.
NADASDY

The court's orders are affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams,
J.)

Filed July 20, 2005

Sixth Appellate District

San Jose, California

Wednesday, July 20, 2005 (continued)

H028170 PEOPLE v. MALSTROM

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)

Filed July 20, 2005

THURSDAY, JULY 21, 2005

H027730 PEOPLE v. JIMENEZ

The judgment is modified to stay the sentence for count two. The superior court is ordered to amend the abstract of judgment accordingly and to send a certified copy of the amended abstract of judgment to the Department of Corrections. As modified, the judgment is affirmed. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed July 21, 2005

H028345 In re TERRIA V.; DFCS v. AMERICO V.

The order of the juvenile court is affirmed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed July 21, 2005

H027913 PEOPLE v. SALAZAR

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed July 21, 2005

H027901 KENYATTA v. COUNTY OF SANTA CRUZ

The judgment is affirmed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed July 21, 2005

H028163 PEOPLE v. PEDRO T.

The cause herein is ordered submitted.

Dated: July 21, 2005 RUSHING, P.J.

H027720 PEOPLE v. ALEX N.

H028050 SANTA CRUZ CO. HRA v. VINCENT M., et al.

The cause herein is ordered submitted.

Dated: July 21, 2005 BAMATTRE-MANOUKIAN, Acting P.J.

Sixth Appellate District

San Jose, California

Thursday, July 21, 2005 (continued)

H028640 PEOPLE v. KATIE C.

The cause herein is ordered submitted.

Dated: July 21, 2005 PREMO, Acting P.J.

FRIDAY, JULY 22, 2005

H028055 PEOPLE v. NOVAK

The judgment is affirmed. We shall dispose of the issues raised in defendant's petition for writ of habeas corpus (H028601) by separate order filed concurrently with this opinion. (not published)

(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed July 22, 2005

H028057 In re ERNEST OCHOA on Habeas Corpus

The petition for writ of habeas corpus is granted, petitioner's conviction is vacated, and the matter is remanded for further proceedings in accordance with this opinion. The state bar will be advised of the outcome of this case pursuant to Business and Profession Code section 6068, subdivision (o)(7). (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed July 22, 2005

H028001 PEOPLE v. ROBERTO M.

The juvenile court's disposition order is affirmed. (not published)

(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed July 22, 2005